

subject to subpart H equipment leaks provisions, is essentially a work practice standard) cannot be reliably measured and quantified to a sufficient extent.

EPA indicates in the preamble at p. 62647 that it is aware of no other legal or policy bar to including equipment leaks in emissions averaging and that such inclusion would be appropriate if the quantification problem could be solved. CMA agrees. CMA believes, moreover, that it is possible to quantify emissions associated with equipment leaks to an extent sufficient to justify including this set of emission points in the authority for emissions averaging.

First, it should be observed that the "equipment leaks" provisions of Subpart H addresses emission points, such as sampling systems, compression seal vents, closed vent systems, and product accumulator vessels, for which emissions with and without required controls can be quantified through methods similar, if not identical, to those adopted for emission points addressed in Subpart G. There is accordingly no reason to exclude these points from averaging. To the extent that the requirements of subpart H consist of work practice standards applicable to true "fugitive" emissions, such as valve stem leaks, CMA submits that appropriate quantification can still be achieved through use of EPA's recently issued draft document, "Protocols for Emissions Estimates of Equipment Leaks of VOC and VHAP." CMA believes this document contains the methods which could be used to accomplish this.

In this document, EPA had quantified the emissions reductions that would be expected from application of the HON controls to equipment leaks (see Table 5-2, pg. 5-

18). These procedures could be used by a facility to establish their baseline emissions resulting from the HON standards.

This document also contains "screening value correlations" (see Table 2-7, pg. 2-19) which allow a facility to calculate the actual emissions from their facility. The emissions from this procedure could be compared to the baseline emissions calculated above to determine what credit, if any, is available for control beyond the baseline.

As discussed in Section II.A.6.a, if EPA does not believe that equipment leaks emissions can be quantified, they should be excluded from any quantification consideration, including emissions averaging and potential to emit.

**10. There Should Be No Baseline Date for Credits Derived from Controls on Group 2 Points or Overcontrol of Group 1 Points.**

CMA recognizes the proposed November 15, 1990, baseline date as a major improvement from earlier drafts which would have seriously impeded voluntary early emission reductions by disallowing credit for overcontrol achieved before promulgation of the HON. That baseline date would have been unfair and environmentally counterproductive. However, there is no logical reason for imposing any baseline date for emissions credits that are derived from controls of Group 2 points (or overcontrols on Group 1 points). The ostensible basis for such a baseline -- the absence of any added "benefit" from a rule allowing credits for early controls of Group 2 points -- misses the basic point of emissions averaging, which is to allow a source to achieve the overall level of emission reduction constituting MACT through the most efficient means possible.

The test for whether a credit is to be allowed should be whether it is derived from a control that is not otherwise required under the MACT standard, not whether it

would otherwise exist. Thus, in deciding whether a control on a Group 2 emission point is eligible for the generation of credits, the only appropriate question is whether an applicable standard would otherwise require the control to be installed.

In some cases, it may be appropriate to impose additional restrictions to ensure that the control or reduction on which the credit is based is verifiable. This consideration arguably supports the imposition of a baseline for certain pollution prevention measures (such as a change in raw materials) that might otherwise be difficult to verify. But it does not justify a baseline for credits that are derived from technological controls more stringent than the rule otherwise requires. In the latter case, it is a simple matter to ascertain what controls are required and to make a comparison with the controls that are actually in place, regardless of when those controls were originally installed. A Group 2 storage tank, for example, either has a floating roof or it does not; when the roof was installed is essentially beside the point.

Moreover, the imposition of a baseline for credits associated with technological controls could distort sources' decisions about the continued control of Group 2 sources in the future. For example, if it is practicable to move pre-baseline control equipment currently on a Group 2 emission point to a Group 1 point (which would generally be permissible under the standard), the source will have no incentive to maintain the control in place and to purchase new equipment for the Group 1 point. Decisions about the adjustment of Group 1 emission streams to make them eligible for Group 2 treatment may also be distorted by the controls that are already in place, with lesser consideration given than would otherwise be the case to other cost, energy, and environmental factors.

EPA's goal should be to encourage sources that have adopted controls that are more stringent than the standard requires to keep those controls in place. The granting of emissions credits for such controls satisfies this goal, while sacrificing nothing in the pursuit of the overall level of control for the source that the statute requires.

Finally, of course, there is a basic unfairness in penalizing sources that installed controls "too early." The notion that sources that installed controls early would receive an undeserved benefit if credits for those controls were allowed is sheer nonsense. To the extent that "rewarding" sources has a proper role in the context of providing incentives for environmentally beneficial conduct, the rewards given to sources that engaged in such conduct early should, if anything, be greater, not less.

12. Emission Credits Should Be Granted for Pollution Prevention, Including Recycling.

CMA supports the proposal that emission credits be available for changes in materials and operations that constitute pollution prevention. As Congress and the Agency have come increasingly to recognize in recent years, pollution prevention is almost always a superior means of environmental protection. Cf. S. Rep. No. 228, 101st Cong., 1st Sess. 148 (1989) (directing EPA to give priority to pollution prevention measures in establishing MACT standards). The proposal to create additional incentives for implementing and continuing pollution prevention measures by allowing the resulting emission reductions to generate credits for emissions averaging should therefore be adopted in the final rule.

However, EPA proposes to allow pollution prevention credits only for those activities that meet the definition of pollution prevention set forth in EPA's "Pollution

Prevention Strategy." 56 Fed. Reg. 7849 (1991). CMA believes that the definition of pollution prevention in EPA's "Pollution Prevention Strategy" is too narrow. Specifically, CMA believes that out-of-process as well as in-process recycling should be considered pollution prevention and should be allowed to generate credits for emissions averaging. In the preamble, EPA states that it is willing to consider allowing credits for recycling if it receives sufficient information on quantification, methodology, and enforceable mechanisms for recycling measures. Preamble, p. 62649. EPA requested information on quantification methodology and enforcement mechanisms for such recycling. CMA believes that between the enforceability aspects of including such action in the Title V operating permit program and the quantification aspects of the HON and credit for early reduction rule, quantification is fully workable.

EPA also seeks comment on whether pollution prevention credit should be granted for cases in which a source reduces its emissions by switching from production of one chemical to another. EPA's Pollution Prevention Strategy recognizes that pollution prevention is achieved when manufacturers or users of commercial products switch to less toxic substances. 56 Fed. Reg. at 7854. For example, a chemical manufacturer may develop a substitute for a toxic chemical or may devise a means of formulating a chemical product using non-HON feedstocks. In these cases, the owner or operator of the SOCFI source should receive credits for emissions reductions resulting from these pollution prevention activities.

**13. EPA Should Delete The Calculation Equations From The Final Rule**

Section 63.150 contains a number of detailed calculation equations for use by sources that elect emissions averaging. While these calculation equations provide useful information, they are extremely prescriptive and are cumbersome to include in the rule. Updating these equations in the future when new information becomes available also will be burdensome to the Agency. CMA recommends that the prescriptive calculation equations be omitted from the final rule in lieu of allowing facilities to use the most up-to-date emissions calculation procedures available. Alternatively, EPA should place these equations in an appendix to the rule.

**14. An Equation for Calculating Process Vent Emissions Is Incorrect**

Section 63.150(f)(2)(iii) includes the following equation for calculating uncontrolled emission rates from process vents:

$$EPV_{iu} = \frac{7.31 \times 10^{-7} Qh \sum_{j=1}^n C_j M_j}{T + 273} \quad (3b)$$

where:

- $EPV_{iu}$  = Uncontrolled process vent emission rate from process vent (i) in megagrams/month.
- $Q$  = Vent stream flow rate (dry standard cubic meters per minute) measured using Method 2, 2A, 2C, or 2D of Part 60, Appendix A, as appropriate.

$h$  = Monthly hours of operation during which positive flow is present in the vent.

$C_j$  = Concentration (parts per million by volume, dry basis) of organic HAP compound  $j$  as measured by Method 18.

$M_j$  = Molecular weight of organic HAP compound  $j$  (gram/gram-mole).

$T$  = Vent stream discharge temperature, in °C.

$n$  = Number of organic HAP compounds.

This equation is invalid as written. It includes a temperature adjustment that is not needed, since  $Q$  and  $C_i$  are already expressed at standard conditions ( $T=20^\circ\text{C}$ ). This equation should be written as:

$$EPV_{iu} = 2.49 \times 10^{-9} Qh \sum_{j=1}^n C_j M_j$$

Where the constant  $2.49 \times 10^{-9}$  is a composite unit conversion factor.

## G. GENERAL REPORTING REQUIREMENTS

EPA appropriately proposes a three step system for initial reporting under the HON. First, under section 63.151(b), sources will file an Initial Notification 120 days after the HON is promulgated. Second, sources subject to the HON will file an Implementation Plan (if a permit application has not been filed) either 12 months or 18

months prior to the HON compliance date. Third, sources will file a Notification of Compliance Status within 150 days of the compliance date.

It is reasonable to trigger the Initial Notification from the promulgation date, and to trigger the Implementation Plan from the compliance date. Regulators will need to determine the number of potentially affected sources quickly. A simple notification shortly after promulgation serves the useful purpose of putting both regulatory agencies and sources on notice.

The Implementation Plan serves a different purpose. It is a means for the source to communicate its compliance planning approaches, thus giving regulators a chance to review the plans prior to the compliance date. Since the Plan deals directly with how a source plans to comply with the rule, it is reasonable to trigger its submission off the compliance date. CMA agrees with the 12 and 18 month filing deadline proposed in the rule.

The Notification of Compliance Status is an appropriate document to convey the bases for sources' compliance with the regulation. The filing date of 150 days after the compliance date should provide sufficient time for a source to complete its performance testing, set its parameter ranges, and complete its status documentation.

Finally, the use of periodic reporting on a semiannual basis is appropriate as discussed in section II.D.4.a. of these comments, but the timing of the initial periodic report needs to be adjusted.



1. **The Initial Notification Is An Appropriate Provision, But The Area Source Demonstration Should Be Eliminated**

The Initial Notification is a reasonable means for a facility to inform EPA of its expected coverage under the HON. However, as stated in these comments in section II.A.6.b., the requirement for area source determination should be eliminated. CMA agrees that the appropriate time for submission of this notification is 120 days, as proposed in §63.151(b).

2. **Sources Should Not Be Required To Submit An Implementation Plan If A Title V Permit Application is Submitted**

CMA supports EPA's proposal in §63.151(c) that a source is required to submit an implementation plan only if an application for an operating permit has not been submitted to the Administrator. For existing sources not using emissions averaging, §63.151(c)(1)(ii) requires an implementation plan to be submitted at least twelve months before the compliance date. For existing sources opting to use emissions averaging, §63.151(c)(1)(ii) requires an implementation plan be submitted at least 18 months before the compliance date. If an operating permit application is submitted prior to these periods, then there is no requirement for an implementation plan.

In the preamble, EPA recognizes that the information contained in an application for an operating permit includes all the information required in an implementation plan for the HON. Preamble, p. 62655. CMA agrees with EPA's conclusion that it would be redundant to require both reports. We support the Agency's effort to reduce unnecessary recordkeeping and reporting.

CMA supports the proposal in section 63.151(h) to allow updates to the implementation plan. We feel such a provision is necessary to allow sources to incorporate new information that becomes available after a permit application or an implementation plan is submitted.

The period between the compliance date and the date that a source submits a permit application or an implementation plan will be 12 months, 18 months, or longer. It is likely that new information or changed circumstances will affect a source's compliance strategy. The HON wisely provides a mechanism to update the plans to reflect changes in a source's compliance strategy.

The operating permit rule, at 40 CFR §70.5(b), requires sources to "promptly submit such supplementary facts or corrected information" that bears on a permit application, including the compliance plan. In light of this duty, EPA appropriately provides in the HON that a source may supplement an implementation plan.

### 3. The Implementation Plan Should Not Include A Certification Of Compliance

Implementation Plans are not enforceable documents. Instead, they are important informational and planning documents. As EPA points out in the Preamble, "It is critical that regulatory authorities have the Implementation Plans well before the compliance date so they can plan their implementation and enforcement activities. They early submission of these plans may also benefit regulated sources by allowing them to receive any feedback on their control plans prior to the actual compliance dates." Preamble, p. 62655.

The proposal appears to attempt to make these useful planning documents enforceable commitments by including written compliance certifications as part of the Plans submitted under section 63.151(d), (e), and (f). Section 63.151(d) alone requires at least eight such certifications.

The HON Implementation Plans are an improper place for such certifications. Clean Air Act section 112(d) gives no authority to include this type of enforceable certification requirement. What is enforceable under section 112(d) is the MACT standard itself, not certifications. These compliance certifications must be deleted from the Implementation Plan requirements.

Compliance certifications are properly found under the Part 70 operating permit requirements. Every source subject to a MACT standard must obtain an operating permit, and make compliance certifications. These certifications clearly meet the needs of the regulators responsible for enforcing MACT standards such as the HON.

**4. The Notification of Compliance Status Avoids Duplicative Reporting**

CMA supports EPA's effort to avoid duplicative and unnecessary reporting in the Notification of Compliance Status under section 63.152(b). This section of the rule requires sources to submit a variety of information regarding their compliance status, including test reports, parameter ranges, and the specification of the source's operating day. EPA correctly recognizes that certain test methods will be repeated many times at individual sources, and that submission of each test report would be burdensome, duplicative, and unnecessary.

Proposed section 63.152(b)(1)(i) addresses this issue by requiring "one complete test report for each test method used for a particular kind of emission point. For additional tests performed for the same kind of emission point using the same method, the results. . . shall be submitted, but a complete test report is not required." CMA believes this is a reasonable attempt to reduce unwarranted paperwork. Under the proposed approach, regulatory agencies will have adequate information on the types of test performed and the test results, but duplicative reporting will be minimized.

**5. The Proposal Properly Requires Sources To Specify An Operating Day**

As part of the Notification of Compliance Status , sources must define their operating day. Section 63.152(b)(2)(iii). The operating day is important because it forms the basis "for determining daily values of monitored parameters." As explained in section II.C. of these comments, the daily values are critical in determining compliance with the standard. CMA supports the requirement that sources must define their operating day in the Notification of Compliance Status.

Allowing each source to define its own operating day enables it to fashion an operating period that most closely corresponds with the source's actual operating procedures. SO2MI sources vary greatly in their representative operating periods. For instance, some facilities use a cut off time period of four a.m. each day to enable records to be completed when the day shift arrives at eight a.m. Other facilities use an eight a.m. cut off for records. The flexibility offered in the proposal is reasonable and should assist facilities in their compliance determinations.

**6. The First Periodic Report Should Cover the Six Month Period After The Notification Of Compliance Status Report Is Filed**

Section 63.152(c) requires semiannual Periodic Reports to be submitted to the appropriate regulatory authority "no later than 60 days after the end of each 6 month period." Under the proposal, the first report is due "no later than 8 months after the compliance dates" set out in subpart F. Since the Notification of Compliance Status report is to be filed "within 150 days of the compliance dates" (§63.152(b)), then the first Periodic Report would be due only 3 months after the Notification of Compliance Status report is due. Thus, the first periodic report would cover the first six month period ending only one month after the Notification of Compliance Status report is filed. CMA recommends that this section be revised to require the first periodic report to cover the six months after the Notification of Compliance Status is filed under §63.152(b).

Timing the periodic report from the Notification of Compliance Status better fits the initial implementation of the HON better than timing the first Periodic Report from the subpart F compliance date. As noted in section II.G.2. of these comments, many sources will be completing their performance tests and performing appropriate adjustments to equipment during the 150 day period between the HON compliance date and the Notification of Compliance Status. Therefore, the information most meaningful for the first Periodic Reports should cover the six month period after the Notification of Compliance Status Report is submitted.

#### IV. COMMENTS ON SUBPART H

CMA is a party to the regulatory negotiation that resulted in the proposed standards for equipments leaks found in subpart H of the HON. (see, 54 Fed. Reg. 37725 (Sept. 12, 1989)) As a member of the equipment leaks negotiating committee, CMA agreed to support the standard as long as EPA proposes and promulgates a regulation and its preamble with the same substance and effect as the regulation that was the product of the final agreement. Below, CMA offers several brief comments which will help implementation of the standard. CMA encourages EPA to thoughtfully consider the more fully develop comments of CMA member companies on subpart H issues.

##### 1. EPA Should Provide Monitoring Exemptions For Pressure Relief Valves

EPA has not provided any form of exclusion for pressure relief devices in gas/vapor service that are potentially unsafe to monitor or repair. Many of the pressure relief devices which are subject to the applicable requirements for gas/vapor service in §63.165 pose a major safety risk to monitoring or repair personnel that may be present at the device when it releases. These potential safety concerns include: chemical exposure, high pressure, high and low temperatures, explosive atmosphere and low oxygen.

CMA suggests that EPA provide an exception for those pressure relief devices that pose a safety concern. The facility would be required to provide a written justification for why the device poses a threat in the records maintained for the device. This justification would also be presented to the regulatory authority for compliance demonstrations.

2. **EPA Should Provide Consistency In The Lists For SOCMCI Processes**

Section 63.105 is identified by title and in the preamble "as the list of SOCMCI processes." However, subpart H identifies a different list of SOCMCI processes. When subpart H was originally negotiated, it was developed as a stand-alone regulation. Now that subpart H is a part of the HON, two lists exist. This creates potential confusion on the part of facilities determining which processes are regulated. EPA should revise the lists to select consistency between subparts F, G, and H.

3. **Vents From Product Accumulator Vessels, Compressors, and Sampling Systems Can Be Subject to Subpart F.**

CMA's comments on product accumulator vessels, compressors, and sampling systems are presented in section II.A.6.c. of this document. We refer EPA to those comments.

4. **EPA Should Clarify the Options Available For Recurrent Leaks**

The Agency interpretation regarding leaking valves that undergo repair, but leak again, should be clarified. CMA provided a letter to Mr. Rick Colyer of EPA dated March 9, 1993 discussing this issue which is included as Appendix S.

According to EPA's regulation, leaking valves that are repaired must be monitored within 90 days to verify that the leak has not recurred. If it does recur then several options are presented including: (1) treating the leak as a new leak, (2) treating the leak as if the initial repair failed and (3) put the leaking valve on a list for replacement at the next shutdown.

Typically, when a valve that leaks is repaired and leaks again, the valve will need to be removed for repair. CMA suggests that the agency either: (1) treat the leak as

a recurrence from a repair standpoint, but explain in the equation for percentage leaking that only occurrence is used in the equation or (2) the source would define the recurrence and put the equipment directly on the shutdown list.

## V. COMMENTS ON METHODS

### 1. Sampling Should Occur At The First Air-to-Water Interface

CMA continues to believe that the applicability of the proposed wastewater provisions should be determined at the first air-to-water interface, rather than at the point of generation, which EPA is proposing in the rule. If however, EPA is insistent on maintaining this definition, CMA suggests that the definition be modified to reflect that any measurements taken in accordance with this definition hold true only where feasible. Under §63.144(b)(3)(i) and §63.144(b)(3)(ii), EPA states for purposes of determining the total VOHAP average concentration or average VOHAP concentration of each HAP, measurements should be made at the point of generation. However, when not feasible (emphasis added), EPA allows that measurements should be made at a downstream location. This caveat should be included in the definition at the first instance where EPA is seeking to define the point of generation.

### 2. Definition Of VOHAP Should Not Reference Method 305

In defining volatile organic hazardous air pollutant (VOHAP), EPA has chosen to define the term based on identification using a proposed test method (Method 305). In the past, this type of circular reasoning has caused problems, as evidenced by the proposed oil and grease regulations, where EPA sought to eliminate chlorofluorocarbons



(CFC) for oil and grease determinations. With the oil and grease rule, EPA was faced with finding an alternate solvent which would give similar extraction characteristics. Even if a new solvent system was found, it would require a change in the definition of oil and grease. Further, by defining VOHAP in such a manner, EPA automatically disallows the use of alternative methods--even in cases where the alternative method has been validated by Method 301. In order to avoid such an outcome, CMA believes that the definition of VOHAP should be independent of any proposed test methods.

3. **EPA Approved Methods Should Not Have To Be Validated Using Method 301**

The preamble allows that performance test measurements can be made by one of three means; that is, by using either proposed Method 305, Method 25D or use of any other method for which the results have been previously validated using Method 301. This last stipulation appears to preclude use of other EPA methods which have not been validated by Method 301. By example, for individually-speciated VOHAPs, a total analysis can be done using EPA's approved Method 8240. However, by adding the additional requirement that all alternative methods must be validated by Method 301, EPA, in essence, forces a facility to re-validate an already approved EPA method. CMA believes that Method 301 should not be used as a benchmark to validate all other previously validated methods and recommends that EPA include a list of acceptable alternatives which would not have to be validated using 301. To aid EPA in this task, CMA has attached a preliminary list (Appendix T) of EPA-validated methods which industry currently uses when conducting performance tests.

#### 4. Comments on Method 304

In addition to comments elsewhere, Method 304 appears to be a method which is ill-suited for the task at hand as defined by EPA. EPA developed this method of analysis to determine biodegradation rates. Facilities wishing to demonstrate that an alternative control technology is equivalent to the proposed reference control technology are required to employ this method. However, the method has several basic, fundamental flaws, starting with the basic design of the apparatus.

The apparatus schematic provided in the proposal, while technically correct, is outdated as an actual piece of equipment. This style of bioreactor may not be commercially available. Most bioreactors are now unitized, combining the aeration basin and the clarifier. In addition, immersion heaters are not normally used if room temperature control is satisfactory to ensure reasonable limits.

Any measurement probe inserted into the bioreactor is subject to coating by the bacteria (this is, after all, the principal behind flocculation which is why the clarifier works). In the case of thermoprobes, dissolved oxygen probes, etc., this may rapidly impair the performance of the probe and necessitate frequent opening of the bioreactor for removal/cleaning. This seems to run counter to the concept of sealing the reactor to avoid sparge losses. Equipment modifications should be allowed to permit removal and cleaning of probes without breaking the seal.

Matrix problems will make this method difficult in many cases. Wastewater from many processes contains significant levels of surfactants, which will foam under the conditions of this method. The foam will be carried throughout the reactor gas recycle line

causing contamination, plugging and other problems. This, in effect, would preclude the intended operation of the apparatus. To address this issue, CMA believes here again, that EPA should allow for equipment modifications or the addition of a defoaming agents.

The method also needs to address problems due to sludge bulking or pinpoint floc, since biomass agglomeration will occur under certain conditions and bias the resulting data.

#### 5. Comments On Method 305

Under proposed Method 305, CMA has several comments. First, to add clarity to the method, EPA should cross-reference those preamble discussions and regulation citations with the appropriate portions of the appendices. Of note here is regulation language describing specifications for stripping wastewater samples.

Second, in the preamble language and again under sampling requirements, EPA mentions that use of other EPA approved methods is acceptable. CMA recommends that EPA state explicitly in the rule that use of Method 305 can be supplanted by the use of other, more appropriate EPA approved methods.

Third, CMA seeks guidance on how to handle the knockout trap. There is no indication as to what should be done with the water, or even if a facility should check the trap for water. If water is collected from trap, is that water then mixed with the deionized water in the same volumetric flask?

Fourth, since Method 25D is used at the front end of Method 305 to remove volatile organics from wastewater, and since EPA and CMA have recently completed

round-robin testing of Method 25D, CMA thought it appropriate to include comments on the results of the Interlaboratory Study.

CMA continues to believe that there are fundamental issues which need to be addressed before Method 25D can be used with any degree of confidence by industry. First, the accuracy of the method is still questionable and has not been demonstrated to be any better in this second round of testing.

Second, there remain some basic technical problems with running the test. For example, one of the crucial preliminary steps to determining the precision of this method is to run blanks through the test procedure. One of the labs was unable to complete this necessary first step correctly, adding to the argument that this test will be ill-used by the regulated community. It is disturbing that while EPA believes that blank correction for "varying levels of volatile organics in the PEG blank solution" was so critical to the method, that this lab data was removed from the data set.

Third, CMA is concerned that some of the laboratory data was deleted in the final study. When conducting a study on variability, all data must be included, especially when the accuracy of the method is one of the parameters being tested. It appears that EPA deleted data in instances where only one value was available or when replicate analysis information was unavailable. EPA also deleted results from those labs mentioned above which were unable to run blanks correctly. These reasons do not appear to have a valid basis for elimination. CMA believes that all data must be factored into the final results of the study if one is to have a true reflection of the capabilities of Method 25D.

EPA suggested that the variability of results seen in the study could be due to the wide range ( $\pm 5^\circ$ ) of oven temperature allowed. While this could be the case, CMA doubts that a change in oven temperature could account for the variability difference on the order of two to three factors. CMA still continues to believe that the variability of results between laboratories and within the same laboratories is too great to accurately predict the rate of removal of volatiles from wastewater.

Fourth, while CMA does not object to having a single company supply the gas cylinder for calibration, CMA believes that technical problems exist when a standard is used that is  $\pm 10$  per cent. CMA admits that this is typical of a chlorine standard, and believes that it would have been more appropriate to use some other standard during validation testing.

Fifth, CMA is curious to know if the results presented by the three experienced labs differed significantly from the other three labs included in the round-robin study.

Finally, CMA offers some additional comments, that while minor in nature, add to the overall completeness of the study. To provide continued objectivity in selecting a laboratory to complete this analysis, CMA suggests that the laboratory's which participated in the study not be identified specifically.

Under Section 5.5, CMA suggests the use of actual logarithms rather than the natural logs scales EPA used in the equation. Also, CMA is unclear as the purpose of the graph included in this section of the report.

On Page 7, the appendices referenced in 4.4 should be Appendices B and C, respectively.

On Page 9, the equation suggested by EPA to calculate the amount of volatile organics present in the waste sample should read:  $M_{vo} = M_c + M_{Cl}$ .

On Page 10, equation 9 should read:  $X_{ij} = j^{th}$  result for  $i^{th}$  laboratory.

Further, in several places, CMA feels that the results were out of control. For example, in Table 5.2 (page 15) the chlorine values ranged from 41 per cent to 139 per cent.

#### 6. Comments on Method 18

CMA supports EPA's requirement that three aliquots/samples be taken and then averaged. Statistically, this is a good scientific technique. But in some cases, such as desorption tubes, facilities are unable to collect three samples. For example, with Tedlar bag samples, recovery correction occurs within the bag. To correct sample again after taking a sample from the bag would be redundant. Moreover, every standard that is currently in use for purposes of compiling with regulations are already recorrected during the developmental stages of the standard. CMA suggests that facilities be allowed to constitute standards in the media, in lieu of recovery correction.

CMA is also concerned with obtaining certified gaseous standards for the list of 184 HAPs. Current technology does not allow for standards to be made very easily for each and every chemical on the HAP list. Further, once a gaseous standard is obtained, CMA is concerned that the standard will only be usable for an unknown period of time.

## VI. CONCLUSION

EPA staff should be congratulated for their efforts to complete the HON proposal. CMA supports the timely promulgation of air toxics standards under the CAA, and we believe the HON proposal meets the statutory timeline. Because of the comprehensive scope of the rule, EPA should be especially sensitive to the burden placed on individual sources.

EPA must reconsider the proposed wastewater provisions, and other MACT standards where the proposal exceeds the statutory floor. CMA believes the input provided in these comments serves to guide the Agency towards MACT standards that meet the requirements of the Act.

The rule should eliminate all unnecessary or duplicative monitoring, recordkeeping, and reporting. Unwarranted administrative costs are an acute concern for CMA in this comprehensive rulemaking.

Emissions averaging is an integral element of the HON. This innovative approach to emissions control will be extremely important for sources where the referenced control is impracticable or impossible to achieve.

CMA appreciates the opportunity to state our positions on this rulemaking that is so vital to our industry. CMA remains committed to working positively and proactively with EPA in developing workable regulations to implement the Clean Air Act Amendments of 1990.